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April 1, 2022

VIA CM/ECF

Honorable Judge Ronnie Abrams
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Mercer v. Food Passion Lexington Ave. Corp., et al.
SDNY Case No.: 1:22-cv-00319-RA

Dear Judge Abrams:

This office represents the Plaintiff, Stacey Mercer, in the above-captioned case. The parties' joint letter and case management plan are due today. Defendant, 1200 Lexington LLC, has filed its answer and its crossclaim against Defendant, Food Passion Lexington Ave. Corp. ("Food Passion"). But to date, Food Passion has not made an appearance or returned the waiver of service form that was delivered to it. Accordingly, Plaintiff will now proceed to serve it directly. As such, Plaintiff respectfully requests an additional 30 days for the parties to file their joint letter and case management plan. Defendant, 1200 Lexington, LLC, has no objection to this request. Plaintiff also requests adjournment of the initial conference (currently scheduled for April 8, 2022) consistent with this request for extension of time. This is the first such request in this case, and should not delay the matter or prejudice any party.

Thank you for your time and consideration in this matter.

Respectfully Submitted,


Law Offices of Nolan Klein, P.A.

By: /s/ Nolan Klein
NOLAN KLEIN (NK4223)

NKK/amd

cc: Robert H. Goldberg, Esq. (via ECF)

Application granted. The initial conference is adjourned to May 6, 2022 at 2:30 p.m. The parties' joint letter and case management plan are due by April 29, 2022. Plaintiff is reminded that she must serve Defendant Food Passion Lexington Ave. Corporation within 90 days of the filing of her Complaint.
SO ORDERED.



Hon. Ronnie Abrams
April 4, 2022